

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

XUEYING ZHAO,

Plaintiff,

v.

CASE NO. 1:08-cv-00022-MP-AK

MICHAEL CHERTOFF, et al.,

Defendants.

ORDER

This matter is before the Court on Doc. 22, Report and Recommendation of the Magistrate Judge, recommending that Defendants' motion to dismiss based on mootness and lack of case or controversy be granted. The Magistrate issued the Report and Recommendation on Monday, September 8, 2008. The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections. Pursuant to Title 28, United States Code, Section 636(b)(1), this Court must make a *de novo* review of those portions of the Report to which an objection has made. In this instance, however, Plaintiff has not filed an objection, and the time to do so has passed. Nevertheless, the Court has reviewed the evidence attached to Defendants' motion and agrees with the Magistrate that the relief sought by

Plaintiff has already been granted. Accordingly, it is hereby

ORDERED AND ADJUDGED:

1. The Report and Recommendation of the Magistrate, Doc. 22, is adopted and incorporated herein.
2. The motion to dismiss, Doc. 21, is GRANTED, and this cause is DISMISSED WITH PREJUDICE.
3. The motion to dismiss, Doc. 13, is DENIED as moot.

DONE AND ORDERED this 10th day of October, 2008

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge